REMARKS

Claims 1-10, 15, 20-23 and 27-32 are pending in the instant application. The Examiner has required a restriction of the claimed invention under 35 U.S.C. 121 from the following groups:

I. Claims 1-7 in part, drawn the products of the Formulae I-III.

II. Claims 8-10, 20-23 and 27-33, drawn to a process for using the products of Group I.

The Examiner suggests that the claims of Groups I-II do not relate to a single general inventive concept, because they lack the same corresponding special technical feature. The Examiner suggests that the structural feature common to the inventions of Groups I-II is a pyrrolidine moiety, which is well known in the art.

Applicants respectfully elect Group I for examination, with traverse.

Applicants respectfully contend that there is a special technical feature that is incorporated in the compounds currently claimed in Claims 1-3 of the instant application that distinguishes those compounds from merely being pyrrolidine derivatives. Applicants note that the compounds generically disclosed and claimed in the instant application all incorporate cyclic substituents at the 3- and 5-positions of a 1-oxycarbonylsubstituted 2,5-dihydropyrrole ring. This particular feature of the disclosed KSP inhibitors useful for the treatment of cancer distinguishes those compounds from merely pyrrolidine or N-substituted pyrrolidine compounds (such as those compounds that the Examiner notes were disclosed in *Haterocyclic Chemistry* (#rd Edition).. For this reason, Applicants respectfully contend that the instantly claimed compounds do share a "special technical feature" and the Restriction Requirement between Groups I and II is now moot and should be withdrawn.

Applicants respectfully note that all of the currently pending inventions are directed to compounds falling within the scope of Claim 1 as amended or their use in the treatment of cancer. Applicants respectfully contend that a search of the prior art directed to the 1-oxycarbonylsubstituted 2,5-dihydropyrrole compounds having (at the least) non-hydrogen substituents in the 3- and 5-position would not be an undue burden on the Examiner and would

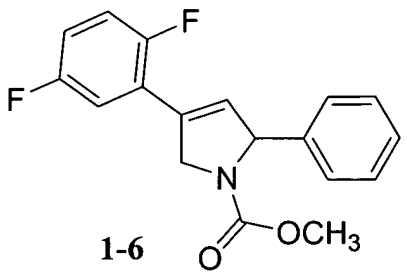
also clearly encompass all of the previously disclosed uses of such compounds (if such uses were previously known). A focused search on formula I compounds would be comprehensive for all of Groups I and II described by the Examiner. MPEP 803 provides:

> There are two criteria for a proper requirement for restriction between patentably distinct inventions:
>
> (1) The inventions must be independent or distinct as claimed; and
>
> (2) There must be a serious burden on the examiner if restriction is not required.

Because there would be no serious burden on the Examiner in searching such closely related inventions of Groups I and II as set forth by the Examiner, Applicant respectfully contends that the restriction requirement is improper.

Applicants are required to elect a single disclosed species with a corresponding chemical structure for prosecution on the merits. Applicants hereby elect, with traverse, as a species the following compound:

methyl 4-(2,5-difluorophenyl)-2-phenyl-2,5-dihydro-1H-pyrrole-1-carboxylate



1-6

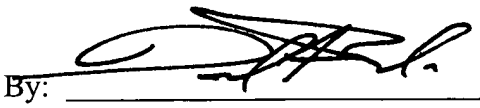
or the pharmaceutically acceptable salt thereof.

Applicants respectfully contend that Claims 1-5 and 7 are readable on the elected species.

Applicants respectfully contend that Claims 1-10, 15, 20-23 and 27-32 as amended and filed are allowable and an early Notice of Allowance is earnestly solicited. If a

telephonic communication with Applicants' representative will aid in the advancement of the prosecution of this application, please telephone the representative indicated below.

Respectfully submitted,



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